OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Fehl

DATE: May 9, 1977

FROM : J. S. Peelman

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

1 - Mr. Held
1 - Mr. Adams
1 - Mr. Fehl
1 - Mr. Peelman
1 - Mr. Lawn
1 - Mr. Mintz
1 - Mr. Daly
1 - Mr. Cochran

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Serv. ____
Crim. Inv. ____
Fin. & Pers. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgmt. ____
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Training ____
Public Affs. Off. ____
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Director's Sec'y ____

PURPOSE: To advise that the Archivist of the United States has again corresponded with this Bureau and has set down conditions under which certain test bullets may be borrowed for FBI Laboratory testing, which conditions are not acceptable to the FBI.

SYNOPSIS: In December, 1976, the FBI requested that the Archivist make available to the FBI two test bullets fired from Oswald's rifle. After initially approving this request, the Archivist then denied the request based upon an agreement between the Archivist and the HSCA. By letters dated 3/11/77 and 4/28/77, the Department was requested to resolve this matter and to delineate the jurisdiction of this Bureau. Letter from the Archivist is being acknowledged and the Department is being advised of the receipt of this letter and that the conditions set out are unacceptable and that the Bureau foresees no alternative but to return the bullet fragment found in Dallas to the finder as he has requested.

RECOMMENDATIONS: EX-103 REC-50 62-117290-118 MAY 12 1977

(1) That the attached letter to the Archivist be approved and forwarded.

APPROVED:
Director ____
Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Adm. Serv. ____
Crim. Inv. ____
Fin. & Pers. ____
Ident. ____
Intell. ____
Laboratory ____
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JCL:bam (9)

Enclosures (2)
encl. detached & lost
David to Dept.

CONTINUED - OVER

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Memorandum to Mr. Fehl
RE: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS (HSCA)

(2) That attached memorandum be forwarded to the Attorney General.

DETAILS: By letter dated 5/4/77, the Archivist of the United States advised that the FBI could have access to two test bullets fired from the rifle of Lee Harvey Oswald under the conditions that a representative of HSCA and a representative of the National Archives be present during testing procedures. These conditions are not acceptable.

By way of background, in December, 1976, a Dallas resident furnished to the FBI a bullet allegedly found in the vicinity of Dealy Plaza, the site of the assassination of President John F. Kennedy. Since January, 1977, the Archivist has refused the FBI access to the test bullets from the Oswald rifle at the request of HSCA.

By memoranda dated 3/11/77 and 4/28/77, the Department has been requested to resolve this issue and to delineate the jurisdiction of the FBI in order to avoid duplication of investigative effort with the HSCA. These issues remain unresolved.

It is recommended, therefore, that the letter to the Archivist be approved which would acknowledge receipt of his letter and the memorandum to the Attorney General be approved advising the Department of the continuing impasse and of the anticipated course of action by the FBI regarding the bullet found in Dallas. This has been coordinated with the Laboratory Division.